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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/620,458

07/17/2003

Wen-Shiou Lou

0941-0791P

9177

2292 7590 12/28/2006
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EXAMINER

STOCK JR, GORDON J

ART UNIT

PAPER NUMBER

2877

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
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3 MONTHS

12/28/2006

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 12/28/2006.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/620,458	LOU ET AL.	
	Examiner	Art Unit	
	Gordon J. Stock	2877	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 2, 2006 has been entered.

Claim Objections

2. **Claim 1** is objected to for the following: on line 3 'coordinator X-Y-Z' should read – coordinate system, X-Y-Z-. Though applicant's disclosure uses 'coordinator' on line 1 of page 4 of specification, applicant also uses 'Cartesian coordinate X-Y-Z' on line 10 of page 5 of specification. 'Coordinator' ordinarily means 'something that brings into a common action.' Subsequently, Examiner has interpreted 'three-dimensional coordinator X-Y-Z' as –three-dimensional coordinate system, X-Y-Z-. Examiner suggests correction to specification and **claim 1**.

3. **Claim 1** is also objected to for the following: 'to X-Z plane' of line 6 should read –to the X-Z plane-. Correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. **Claims 1-3** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As for **claim 1**, 'two-dimensional digital image to the Z coordinate' of line 8 and 'two-dimensional image to the X coordinate' of lines 10-11 are indefinite, for it is unclear how a two-dimensional image can be mapped to a single coordinate. Applicant's disclosure mentions mapping to axes (Applicant's disclosure: page 7 line 21 and page 8 line 26). Examiner has interpreted the unclear phrases as 'two-dimensional digital image to the Z axis' and 'two-dimensional image to the X axis' respectively. Examiner also would like to point out that the Applicant's disclosure does mention mapping to a coordinate (specification: page 7 line 30 and page 8 line 11).

As for **claim 2**, 'two-dimensional image to the Y coordinate' of lines 4-5 is indefinite, for it is unclear how a two-dimensional image can be mapped to a single coordinate. Applicant's disclosure mentions mapping to an axis (Applicant's disclosure: page 9 line 9). Examiner has interpreted the unclear phrases as 'two-dimensional digital image to the Y axis.'

As for **claim 3**, 'a first mapping table for the coordinate along the translating axis' of lines 12-13 and 'a second mapping table of the coordinate along an axis' of line 17 are indefinite, for it is unclear how a line image can be mapped to a single coordinate. Applicant's disclosure mentions mapping to axes (Applicant's disclosure: page 7 line 21 and page 8 line 26). Examiner has interpreted the unclear phrases as 'a first mapping table for a coordinate axis' and 'a second mapping table of a coordinate axis' respectively.

Allowable Subject Matter

6. **Claims 1-3** would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

As to **claim 1**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in a method for calibrating a laser three-dimensional digitizing sensor establishing a second mapping table of the two-dimensional digital to the X axis according to the established first mapping table, in combination with the rest of the limitations of **claims 1-2**.

As to **claim 3**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in a method for calibrating a laser three-dimensional digitizing sensor establishing a second mapping table of the coordinate along an axis perpendicular to the translating axis and the rotating axis from the established first mapping table, in combination with the rest of the limitations of **claim 3**.

Response to Arguments

7. Applicant's arguments filed October 2, 2006 have been fully considered and are persuasive in regards to the previous rejection under 35 U.S.C. 102(b). Due to the amendment of the claims and the persuasiveness of the arguments, the previous rejection under 35 U.S.C. 102(b) has been withdrawn. However, a rejection under 35 U.S.C. 112 second paragraph has been made. See above. Examiner apologizes for any inconvenience.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: JP 08005351 A to Takizawa
JP 2000161935 A to Kamigaki

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U.S. Patent 5,852,672 to Lu

U.S. Patent 6,101,455 to Davis

Fax/Telephone Numbers

If the applicant wishes to send a fax dealing with either a proposed amendment or a discussion with a phone interview, then the fax should:

- 1) Contain either a statement "DRAFT" or "PROPOSED AMENDMENT" on the fax cover sheet; and
- 2) Should be unsigned by the attorney or agent.

This will ensure that it will not be entered into the case and will be forwarded to the examiner as quickly as possible.

Papers related to the application may be submitted to Group 2800 by Fax transmission. Papers should be faxed to Group 2800 via the PTO Fax machine located in Crystal Plaza 4. The form of such papers must conform to the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP4 Fax Machine number is: (571) 273-8300

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gordon J. Stock whose telephone number is (571) 272-2431.

The examiner can normally be reached on Monday-Friday, 10:00 a.m. - 6:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr., can be reached at 571-272-2800 ext 77.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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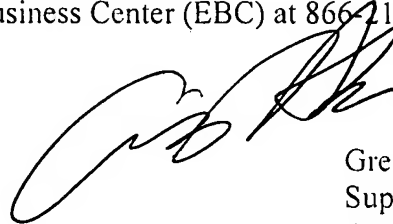
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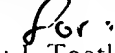
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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private Pair system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


gs

December 21, 2006


HWA (ANDREW) LEE
PRIMARY EXAMINER


Gregory J. Toatley, Jr.
Supervisory Patent Examiner
Art Unit 2877